

## Message Text

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TO AMEMBASSY BUCHAREST PRIORITY

C O N F I D E N T I A L STATE 263875

EXDIS

E.O. 11652: GDS

TAGS: EEWT, RO

SUBJECT: DRAFT TRADE AGREEMENT

THIS MESSAGE TRANSMITS US DRAFT TRADE AGREEMENT. INSTRUCTIONS CONCERNING DELIVERY OF DRAFT TO GOR BEING SENT SEPT-TEL.

AGREEMENT ON TRADE RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE SOCIALIST REPUBLIC OF ROMANIA. THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA, CONSCIOUS OF THE LONG-STANDING FRIENDSHIP BETWEEN THEIR PEOPLES, HAVING AGREED THAT COMMERCIAL AND ECONOMIC TIES ARE AN IMPORTANT ELEMENT IN THE GENERAL STRENGTHENING OF THEIR BILATERAL RELATIONS, BELIEVING THAT AN AGREEMENT EMBODYING UNDERTAKINGS AND ARRANGEMENTS FOR THE CONDUCT OF TRADE  
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BETWEEN THEIR COUNTRIES WILL SERVE THE INTERESTS OF BOTH PEOPLES, ACKNOWLEDGING THAT FAVORABLE CONDITIONS EXIST FOR THE FURTHER EXPANSION OF TRADE BETWEEN THEIR COUNTRIES, RECOGNIZING THAT IT IS TO THEIR MUTUAL ADVANTAGE TO CON-

TINUE TO DEVELOP THEIR COMMERCIAL RELATIONS, HAVE AGREED  
AS FOLLOWS:

ARTICLE I: MOST FAVORED NATION TREATMENT

1. THE PARTIES AGREE TO GRANT EACH OTHER'S PRODUCTS MOST-FAVORED-NATION TREATMENT, AS PROVIDED IN THE GENERAL AGREEMENT ON TARIFFS AND TRADE, WITH RESPECT TO CUSTOMS DUTIES AND TAXES AND WITH RESPECT TO THE RULES AND FORMALITIES CONCERNING THE EXPORT AND IMPORT OF GOODS AND SERVICES. ACCORDINGLY, THE PROVISIONS OF THE GENERAL AGREEMENT AND OF THE PROTOCOL FOR THE ACCESSION OF ROMANIA TO THE GENERAL AGREEMENT OF OCTOBER 15, 1971, SHALL APPLY BETWEEN THE PARTIES AS MODIFIED BY SUBSEQUENT PROVISIONS OF THIS AGREEMENT. THE PARTIES NOTE IN THIS RESPECT THE UNDERTAKINGS BY ROMANIA IN ANNEX B TO THE PROTOCOL TO INCREASE IMPORTS FROM THE CONTRACTING PARTIES AS A WHOLE AT A RATE NOT SMALLER THAN THE GROWTH OF TOTAL ROMANIAN IMPORTS PROVIDED FOR IN ITS FIVE-YEAR PLANS.

2. THE PARTIES AGREE TO MAINTAIN A SATISFACTORY BALANCE OF CONCESSIONS IN TRADES AND SERVICES DURING THE PERIOD OF THIS AGREEMENT, AND IN PARTICULAR TO RECIPROCATATE IN FULL REDUCTIONS BY THE OTHER PARTY IN TARIFFS AND NONTARIFF BARRIERS TO TRADE THAT RESULT FROM MULTILATERAL NEGOTIATIONS.

ARTICLE II: EXPANSION OF TRADE

1. THE PARTIES SHALL TAKE APPROPRIATE MEASURES, IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS, TO ENCOURAGE AND FACILITATE THE EXCHANGE OF GOODS AND SERVICES BETWEEN THE TWO COUNTRIES ON THE BASIS OF MUTUAL ADVANTAGE AND RECIPROCITY IN ACCORDANCE WITH THE PROVISION OF THIS AGREEMENT. IN EXPECTATION OF SUCH JOINT EFFORTS, BOTH GOVERNMENTS ENVISION THAT TOTAL BILATERAL TRADE IN COMPARISON WITH THE PERIOD 1972-1974 WILL AT LEAST TRIPLE OVER THE INITIAL THREE-YEAR PERIOD OF THIS AGREEMENT. THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA  
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EXPECTS THAT DURING THE PERIOD OF THIS AGREEMENT ROMANIAN COMPANIES AND ECONOMIC ORGANIZATIONS WILL PLACE SUBSTANTIAL ORDERS IN THE UNITED STATES OF AMERICA FOR MACHINERY AND EQUIPMENT, AGRICULTURAL AND INDUSTRIAL MATERIALS, AND CONSUMER GOODS PRODUCED IN THE UNITED STATES OF AMERICA.

2. COMMERCIAL TRANSACTIONS WILL BE EFFECTED ON THE BASIS OF CONTRACTS TO BE CONCLUDED BETWEEN NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF THE UNITED STATES OF AMERICA AND THOSE OF THE SOCIALIST REPUBLIC OF ROMANIA, AND IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS. SUCH CONTRACTS WILL GENERALLY BE CONCLUDED ON TERMS CUSTOMARY IN INTERNATIONAL COMMERCIAL PRACTICE.

(ARTICLE III TO BE TRANSMITTED SUBSEQUENTLY.)

ARTICLE IV: BUSINESS FACILITATION

1. IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS, NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF ONE COUNTRY MAY OPEN, ESTABLISH AND OPERATE REPRESENTATIONS IN THE TERRITORY OF THE OTHER PARTY. INFORMATION CONCERNING RULES AND REGULATIONS PERTAINING TO SUCH REPRESENTATIONS AND RELATED FACILITIES SHALL BE PROVIDED BY EACH PARTY UPON THE REQUEST OF THE OTHER.
2. NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF EITHER COUNTRY SHALL NOT CLAIM OR ENJOY IMMUNITIES FROM SUIT OR EXECUTION OF JUDGMENT, TAXATION, EXCEPT AS MAY BE PROVIDED IN OTHER BILATERAL AGREEMENTS, OR OTHER LIABILITY IN THE TERRITORY OF THE OTHER PARTY, WITH RESPECT TO COMMERCIAL TRANSACTIONS.
3. NATIONALS, EXCEPT AS PROVIDED IN ARTICLE IX:2, COMPANIES AND ECONOMIC ORGANIZATIONS, INCLUDING CORPORATIONS, STOCK COMPANIES AND OTHER INDUSTRIAL OR FINANCIAL ORGANIZATIONS DOMICILED AND ORGANIZED UNDER THE LAWS IN FORCE IN THE TERRITORY OF ONE OF THE PARTIES, SHALL BE PERMITTED TO ENGAGE IN THE TERRITORY OF THE OTHER PARTY IN ANY COMMERCIAL ACTIVITY WHICH IS NOT CONTRARY TO THE LAWS OF SUCH OTHER PARTY, AND SHALL BE AFFORDED ACCESS TO ALL COURTS AND ADMINISTRATIVE BODIES AS PLAINTIFFS OR DEFENDANTS, OR OTHERWISE, PROVIDED THEY COMPLY WITH THE LAWS IN FORCE IN THE TERRITORY OF SUCH OTHER PARTY.
4. NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF EITHER COUNTRY THAT DESIRE TO ESTABLISH REPRESENTATIONS  
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OR ALREADY OPERATE REPRESENTATIONS IN THE TERRITORY OF THE OTHER PARTY SHALL RECEIVE TREATMENT NO LESS FAVORABLE THAN THAT ACCORDED TO NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF ANY THIRD COUNTRY IN ALL MATTERS RELATING THERETO. THE RIGHTS AND PRIVILEGES SET OUT IN ANNEX 2 SHALL BE AMONG THOSE THAT WILL BE ACCORDED SUCH NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS WHICH ESTABLISH REPRESENTATIONS.

5. FOR THE PURPOSE OF CARRYING ON TRADE BETWEEN THE TERRITORIES OF THE TWO PARTIES AND ENGAGING IN RELATED COMMERCIAL ACTIVITIES, NATIONALS OF EACH PARTY AND EMPLOYEES OF ITS COMPANIES AND ECONOMIC ORGANIZATIONS SHALL, SUBJECT TO THE LAWS RELATING TO THE ENTRY AND TRAVEL OF ALIENS, BE PERMITTED TO ENTER AND TO REMAIN IN THE TERRITORY OF THE OTHER PARTY, TO TRAVEL THEREIN FREELY, AND TO RESIDE AT PLACES OF THEIR CHOICE.
6. NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF EITHER PARTY SHALL BE PERMITTED WITHIN THE TERRITORY OF THE OTHER PARTY TO DEAL DIRECTLY WITH BUYERS AND USERS OF THEIR PRODUCTS, FOR PURPOSES OF SALES PROMOTION AS WELL AS FOR PURPOSES OF SERVICING THEIR PRODUCTS.
7. THE PARTIES SHALL PERMIT AND FACILITATE AS APPROPRIATE

ACCESS WITHIN THEIR TERRITORIES BY NATIONALS, ECONOMIC ORGANIZATIONS AND ENTERPRISES OF THE OTHER PARTY TO INFORMATION CONCERNING ACTUAL AND POTENTIAL MARKETS FOR GOODS AND SERVICES.

8. NATIONALS, EXCEPT AS PROVIDED IN ARTICLE IX:2, COMPANIES AND ECONOMIC ORGANIZATIONS OF EITHER PARTY SHALL BE PERMITTED WITHIN THE TERRITORY OF THE OTHER PARTY TO ADVERTISE, CONCLUDE CONTRACTS, AND PROVIDE TECHNICAL SERVICES TO THE SAME EXTENT THAT NATIONALS, COMPANIES AND ORGANIZATIONS OF THE LATTER PARTY MAY DO SO.

9. EACH PARTY UNDERTAKES TO FACILITATE TRAVEL BY TOURISTS AND OTHER VISITORS AND THE DISTRIBUTION OF INFORMATION FOR TOURISTS.

10. THE PARTIES CONFIRM THEIR COMMITMENT, AS EXPRESSED IN THE JOINT STATEMENT ON ECONOMIC, INDUSTRIAL, AND TECHNOLOGICAL COOPERATION OF DECEMBER 5, 1973, TO FACILITATE PARTICIPATION OF THEIR NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS IN FAIRS AND EXHIBITIONS ORGAN-  
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IZED IN THE OTHER COUNTRY. EACH PARTY FURTHER UNDERTAKES TO ENCOURAGE AND FACILITATE PARTICIPATION BY NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF THE OTHER COUNTRY IN TRADE FAIRS AND EXHIBITS IN ITS TERRITORY, AS WELL AS TO FACILITATE TRADE MISSIONS ORGANIZED IN THE OTHER COUNTRY AND SENT BY MUTUAL AGREEMENT OF THE PARTIES.

ARTICLE V: INDUSTRIAL PROPERTY, INDUSTRIAL RIGHTS AND PROCESSES, AND COPYRIGHTS

1. EACH PARTY SHALL CONTINUE TO PROVIDE NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF THE OTHER WITH RIGHTS WITH RESPECT TO INDUSTRIAL PROPERTY PROVIDED IN THE CONVENTION OF PARIS FOR THE PROTECTION OF INDUSTRIAL PROPERTY (AS REVISED AT STOCKHOLM IN 1967).
2. EACH PARTY SHALL PROVIDE THE SAME LEGAL PROTECTION WITH RESPECT TO PROPRIETARY RIGHTS, INCLUDING PROCESSES, TO NATIONALS OF THE OTHER PARTY THAT IS PROVIDED WITHIN ITS TERRITORY TO ITS OWN NATIONALS.
3. EACH PARTY SHALL PROVIDE FOR THE FULL AND EFFECTIVE PROTECTION OF THE RIGHTS OF AUTHORS AND OTHER COPY-  
RIGHT PROPRIETORS OF THE OTHER IN LITERARY, SCIENTIFIC AND ARTISTIC WORKS. PUBLISHED WORKS OF NATIONALS, COMPANIES AND ORGANIZATIONS OF ONE PARTY FIRST PUBLISHED IN THE TERRITORY OF THAT PARTY SHALL ENJOY IN THE OTHER THE SAME PROTECTION AS SUCH OTHER PARTY ACCORDS TO WORKS OF ITS NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS FIRST PUBLISHED IN ITS OWN TERRITORY. UNPUBLISHED WORKS OF NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF ONE PARTY SHALL ENJOY IN THE TERRITORY OF THE OTHER PARTY THE SAME PROTECTION AS THAT WHICH THE OTHER PARTY ACCORDS

TO UNPUBLISHED WORKS OF ITS OWN NATIONALS, AND EACH PARTY SHALL PROVIDE FULL AND EFFECTIVE LEGAL PROTECTION WITHOUT FORMALITIES FOR THE UNPUBLISHED WORKS OF NATIONALS OF SUCH OTHER PARTY.

ARTICLE VI: FINANCIAL PROVISIONS

1. NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF EITHER PARTY SHALL BE ACCORDED BY THE OTHER PARTY NATIONAL TREATMENT AND MOST-FAVORED-NATION TREATMENT WITH RESPECT CONFIDENTIAL

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TO PAYMENTS, REMITTANCES AND TRANSFERS OF FUNDS OR FINANCIAL INSTRUMENTS BETWEEN THE TERRITORIES OF THE TWO PARTIES AS WELL AS BETWEEN THE TERRITORY OF SUCH OTHER PARTY AND THAT OF ANY THIRD COUNTRY. THE PARTIES AGREE TO GRANT ANY AUTHORIZATION REQUIRED FOR ANY SUCH TRANSFER.

2. ALL CURRENCY PAYMENTS BETWEEN NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF THE UNITED STATES OF AMERICA AND THOSE OF THE SOCIALIST REPUBLIC OF ROMANIA SHALL BE MADE IN UNITED STATES DOLLARS OR ANY OTHER FREELY CONVERTIBLE CURRENCY MUTUALLY AGREED UPON BY SUCH PERSONS AND ORGANIZATIONS, UNLESS THEY OTHERWISE AGREE; PROVIDED, HOWEVER, THAT PURCHASES IN THE TERRITORY OF A PARTY BY NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF THE OTHER PARTY MAY BE MADE IN THE CURRENCY OF THE SELLER. NO RESTRICTIONS SHALL BE PLACED BY EITHER PARTY UPON THE EXPORT FROM ITS TERRITORY OF FREELY CONVERTIBLE CURRENCIES, OR DEPOSITS OR INSTRUMENTS REPRESENTATIVE THEREOF, BY THE NATIONALS, COMPANIES, ECONOMIC ORGANIZATIONS OR GOVERNMENT OF THE OTHER PARTY, PROVIDED SUCH CURRENCIES, DEPOSITS, OR INSTRUMENTS WERE RECEIVED IN AN AUTHORIZED MANNER. IF EITHER PARTY MAINTAINS MORE THAN ONE RATE OF EXCHANGE, IT SHALL ACCORD TO NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF THE OTHER PARTY TREATMENT NO LESS FAVORABLE IN MATTERS RELATING TO RATES OF EXCHANGE THAN IT ACCORDS TO NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF ANY THIRD COUNTRY.

3. NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF EACH PARTY SHALL BE ACCORDED NATIONAL TREATMENT AND MOST-FAVORED-NATION TREATMENT BY THE OTHER PARTY WITH RESPECT TO THE OPENING AND MAINTAINING OF ACCOUNTS IN LOCAL CURRENCY IN FINANCIAL INSTITUTIONS AND WITH RESPECT TO USE OF LOCAL CURRENCY.

ARTICLE VII: NAVIGATION

1. VESSELS UNDER THE FLAG OF EITHER PARTY, AND CARRYING THE DOCUMENTS REQUIRED BY ITS LAW IN PROOF OF NATIONALITY, SHALL BE DEEMED TO BE VESSELS OF THAT PARTY BOTH ON THE HIGH SEAS AND WITHIN THE PORTS, PLACES, AND WATERS OF THE

OTHER PARTY.  
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2. THE DOCUMENTS OF A VESSEL, AS WELL AS THE DOCUMENTS REFERRING TO CREWS, ISSUED ACCORDING TO THE LAWS AND REGULATIONS OF THE PARTY UNDER WHOSE FLAG OR CHARTER THE VESSEL IS NAVIGATING, WILL BE RECOGNIZED BY THE AUTHORITIES OF THE OTHER PARTY.
3. VESSELS OF EITHER PARTY SHALL HAVE LIBERTY, ON EQUAL TERMS WITH VESSELS OF THE OTHER PARTY AND ON EQUAL TERMS WITH VESSELS OF ANY THIRD COUNTRY, TO COME WITH THEIR CARGOES TO PORTS, PLACES, AND WATERS OF THE OTHER PARTY OPEN TO FOREIGN COMMERCE AND NAVIGATION, EXCEPT INsofar AS REQUIREMENTS OF NATIONAL SECURITY LIMIT SUCH ACCESS; SUCH VESSELS AND CARGOES SHALL THEN IN ALL RESPECTS BE ACCORDED NATIONAL TREATMENT AND MOST-FAVORED-NATION TREATMENT WITHIN THE PORTS, PLACES AND WATERS OF THE OTHER PARTY, EXCEPT INsofar AS MODIFIED BY PORT SECURITY REQUIREMENTS; BUT EACH PARTY MAY RESERVE EXCLUSIVE RIGHTS AND PRIVILEGES TO ITS OWN VESSELS WITH RESPECT TO THE COASTING TRADE, INLAND NAVIGATION, AND NATIONAL FISHERIES.
4. IN PARAGRAPH 3, THE TERM QUOTE VESSEL UNQUOTE DOES NOT APPLY TO WARSHIPS, AS DEFINED IN THE 1958 GENEVA CONVENTION ON THE HIGH SEAS, OR TO FISHING VESSELS, FISHERY RESEARCH VESSELS, OR FISHERY SUPPORT VESSELS.

#### ARTICLE VIII: DISPUTES SETTLEMENT

1. THE PARTIES REAFFIRM THEIR COMMITMENT, AS EXPRESSED IN THE JOINT STATEMENT ON ECONOMIC, INDUSTRIAL, AND TECHNOLOGICAL COOPERATION OF DECEMBER 5, 1973 TO PROMPT AND EQUITABLE SETTLEMENT OF COMMERCIAL DISPUTES ARISING BETWEEN NATIONALS, COMPANIES, AND ECONOMIC ORGANIZATIONS OF THE UNITED STATES OF AMERICA AND THE SOCIALIST REPUBLIC OF ROMANIA.
  2. THE PARTIES ENCOURAGE THE ADOPTION OF ARBITRATION FOR THE SETTLEMENT OF DISPUTES ARISING OUT OF INTERNATIONAL COMMERCIAL TRANSACTIONS CONCLUDED BETWEEN NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF THE UNITED STATES OF AMERICA AND THOSE OF THE SOCIALIST REPUBLIC OF ROMANIA. SUCH ARBITRATION SHOULD BE PROVIDED FOR BY PROVISIONS IN CONTRACTS BETWEEN SUCH NATIONALS, COMPANIES, AND ECONOMIC ORGANIZATIONS, OR IN SEPARATE AGREEMENTS BETWEEN THEM IN WRITING EXECUTED IN THE FORM REQUIRED FOR SUCH CONTRACTS.
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SUCH AGREEMENTS (A) SHOULD PROVIDE FOR ARBITRATION UNDER THE RULES OF ARBITRATION OF THE INTERNATIONAL CHAMBER OF COMMERCE IN PARIS; AND (B) SHOULD SPECIFY AS THE PLACE OF ARBITRATION A PLACE IN A COUNTRY OTHER THAN THE

UNITED STATES OF AMERICA OR THE SOCIALIST REPUBLIC OF ROMANIA THAT IS A PARTY TO THE 1958 CONVENTION ON THE RECOGNITION AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS.

3. NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS PARTY TO A CONTRACT MAY DECIDE UPON ANY OTHER FORM OF ARBITRATION WHICH THEY MUTUALLY PREFER.

ARTICLE IX: GOVERNMENTAL COMMERCIAL OFFICES

1. IN ORDER TO PROMOTE THE DEVELOPMENT OF TRADE AND ECONOMIC RELATIONS BETWEEN THE PARTIES, AND TO PROVIDE ASSISTANCE TO THEIR NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS, EACH PARTY AGREES TO PERMIT AND FACILITATE THE ESTABLISHMENT AND OPERATION OF GOVERNMENTAL COMMERCIAL OFFICES OF THE OTHER PARTY ON A RECIPROCAL BASIS. THE ESTABLISHMENT AND OPERATION OF SUCH OFFICES SHALL BE IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS, AND SUBJECT TO SUCH TERMS, CONDITIONS, PRIVILEGES, AND IMMUNITIES AS MAY BE AGREED UPON BY THE PARTIES. THE PARTIES AGREE THAT ACCESS TO SUCH OFFICES BY NATIONALS OF THE PARTY WILL BE UNRESTRICTED.

2. GOVERNMENTAL COMMERCIAL OFFICES, AND THEIR RESPECTIVE OFFICERS AND STAFF MEMBERS, SHALL NOT PARTICIPATE DIRECTLY IN THE NEGOTIATION, EXECUTION, OR FULFILLMENT OF TRADE TRANSACTIONS OR OTHERWISE CARRY ON TRADE.

ARTICLE X: NATIONAL SECURITY

THE PROVISIONS OF THIS AGREEMENT SHALL NOT LIMIT THE RIGHT OF EITHER PARTY TO TAKE ANY ACTION FOR THE PROTECTION OF ITS SECURITY INTERESTS.

ARTICLE XI: REVIEW

THE AMERICAN-ROMANIAN ECONOMIC COMMISSION, ESTABLISHED IN ACCORDANCE WITH THE JOINT STATEMENT ON ECONOMIC, INDUSTRIAL, AND TECHNOLOGICAL COOPERATION OF DECEMBER 5, 1973, SHALL EXAMINE THE OPERATION OF THIS AGREEMENT, AND CONFIDENTIAL

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AS NECESSARY PREPARE RECOMMENDATIONS FOR THE FURTHER IMPROVEMENT OF TRADE RELATIONS BETWEEN THE TWO COUNTRIES.

ARTICLE XII: DURATION AND ENTRY INTO FORCE

1. THIS AGREEMENT SHALL ENTER INTO FORCE ON THE DATE AGREED UPON BY THE PARTIES IN AN EXCHANGE OF WRITTEN NOTICES OF ACCEPTANCES.

2. THIS AGREEMENT SHALL REMAIN IN FORCE FOR A PERIOD OF THREE YEARS, EXCEPT THAT THE OBLIGATIONS OF THE TWO PARTIES UNDER ARTICLE I SHALL BE SUSPENDED DURING ANY

PERIOD IN WHICH EITHER PARTY DOES NOT HAVE DOMESTIC  
LEGAL AUTHORITY TO CARRY OUT ITS OBLIGATIONS THEREUNDER.  
IT MAY BE EXTENDED FOR SUCCESSIVE PERIODS OF UP TO THREE  
YEARS EACH BY MUTUAL AGREEMENT.

IN WITNESS WHEREOF, THE AUTHORIZED REPRESENTATIVES OF  
THE PARTIES HAVE SIGNED THIS AGREEMENT.

DONE IN TWO COPIES AT ----- THIS --- DAY OF  
-----, 1974, IN ENGLISH AND ROMANIAN, EACH VERSION  
BEING EQUALLY AUTHENTIC.

(ANNEX 1 TO BE TRANSMITTED SUBSEQUENTLY.)

ANNEX 2: BUSINESS FACILITATION

NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS SHALL  
ENJOY THE FOLLOWING RIGHTS AND PRIVILEGES IN CONNECTION  
WITH THE ESTABLISHMENT AND OPERATION OF THEIR REPRESENTATIONS IN THE TERRITORY OF THE OTHER PARTY.

1. APPLICATIONS TO ESTABLISH SUCH REPRESENTATIONS AND TO OBTAIN ANY NECESSARY ACCREDITATION SHALL BE HANDLED EXPEDITIOUSLY AND SHALL BE PROCESSED AND ACTED UPON IN ACCORDANCE WITH PROCEDURES AND STANDARDS NO LESS FAVORABLE THAN THOSE ACCORDED TO THE ENTERPRISES OF ANY THIRD COUNTRIES.
2. REVOCATION OR REFUSAL TO RENEW ACCREDITATION TO OPERATE SUCH REPRESENTATIONS SHALL REQUIRE NOTICE IN WRITING AT LEAST TWELVE MONTHS PRIOR TO TERMINATION OF RIGHT TO SUCH REPRESENTATION.
3. SUCH REPRESENTATIONS MAY TAKE THE FORM OF EITHER CONFIDENTIAL

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COMPANY OR GROUP SELF-REPRESENTATION OR REPRESENTATION BY COMMERCIAL AGENCY. TERMINATION OF THE SERVICES OF A COMMERCIAL AGENCY SHALL NOT BE SUBJECT TO ANY PENALTIES WHEN IT DOES NOT CONTRAVENE THE PROVISIONS OF ANY CONTRACT EXISTING BETWEEN THE COMMERCIAL AGENCY AND THE CONTRACTING FIRM.

4. THE PARTIES RECOGNIZE THAT UNREASONABLE APPLICATION AND AUTHORIZATION FEES, AS WELL AS TAXES, RENTS, AND OTHER FEES OR CHARGES, OR CHANGES THEREIN EFFECTED WITHOUT ADEQUATE NOTICE TO THE AFFECTED COMPANIES AND ECONOMIC ORGANIZATIONS, ARE INIMICAL TO COMMERCE BETWEEN THEIR TERRITORIES AND TO COOPERATION BETWEEN THEIR NATIONALS,
5. SUCH NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS SHALL BE PERMITTED TO RENT OR PURCHASE OFFICE SPACE FOR THE REPRESENTATION AND HOUSING FACILITIES FOR THE USE OF EMPLOYEES OF THE FIRM. THE PARTIES, UPON REQUEST, WILL USE THE GOOD OFFICES AT THEIR DISPOSAL TO FACILITATE AND EXPEDITE THE ACQUISITION OF SUCH OFFICE SPACE AND HOUSING FACILITIES.
6. SUCH NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS SHALL BE PERMITTED TO IMPORT, AS PROMPTLY AS DESIRED,



OFFICE MACHINES, AUTOMOBILES, AND OTHER EQUIPMENT FOR THE PURPOSE OF EFFICIENT AND BUSINESSLIKE OPERATION OF THE REPRESENTATION, SUBJECT TO THE CONDITION THAT SUCH EQUIPMENT BE EXPORTED WHEN NO LONGER NEEDED BY THE PERSON IMPORTING IT, AND SUBJECT TO APPLICABLE CUSTOMS REGULATIONS.

7. THE EMPLOYEES OR REPRESENTATIVES OF SUCH NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS SHALL BE PERMITTED TO IMPORT PERSONAL EFFECTS INCLUDING FURNITURE AND APPLIANCES. SUCH PERSONAL EFFECTS USED FOR ONE YEAR SHALL BE ENTERED DUTY-FREE. AUTOMOBILES AND SIMILAR MEANS OF TRANSPORTATION IMPORTED IN CONNECTION WITH THE ARRIVALS OF SUCH EMPLOYEES OR REPRESENTATIVES, FOR TRANSPORTATION OF SUCH PERSONS, THEIR FAMILIES, AND GUESTS, WILL BE ENTERED DUTY-FREE. SUCH EMPLOYEES AND REPRESENTATIVES SHALL ALSO BE PERMITTED TO EXPORT THEIR PERSONAL EFFECTS AND AUTOMOBILES, BOTH THOSE IMPORTED AND THOSE PURCHASED LOCALLY, FREE OF EXPORT DUTIES.

8. SUCH NATIONALS, COMPANIES, AND ECONOMIC ORGANIZATIONS  
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MAY ACQUIRE COMMUNICATIONS FACILITIES, SUCH AS TELEPHONES, EXTENSIONS, AND TELEX EQUIPMENT, WHICH WILL BE MADE AVAILABLE AS PROMPTLY AS POSSIBLE UPON APPLICATION THEREFOR, IN ACCORDANCE WITH APPLICABLE LAW.

9. SUCH NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS MAY, SUBJECT TO THE LAWS IN FORCE RELATING TO CONDITIONS OF EMPLOYMENT, EMPLOY AND TERMINATE THE EMPLOYMENT OF ANY PERSON, REGARDLESS OF NATIONALITY, LAWFULLY RESIDING IN OR ADMITTED TO THE TERRITORY OF SUCH OTHER PARTY. NEITHER PARTY SHALL IMPOSE RESTRICTIONS ON THE SELECTION OR TERMINATION OF EMPLOYEES, OTHER THAN LAWS PROHIBITING UNLAWFUL DISCRIMINATION, NOR SHALL EITHER PARTY RESTRICT THE TOTAL NUMBER OF PERSONS TO BE EMPLOYED AS LONG AS THEY ARE REASONABLY NEEDED FOR THE CONDUCT OF BUSINESS. SUCH NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS SHALL BE AUTHORIZED TO HIRE, COMPENSATE, AND TERMINATE THE EMPLOYMENT OF ANY PERSON DIRECTLY, AND SHALL NOT BE OBLIGATED TO MAKE PAYMENT TO ANY AGENCY OF THE OTHER PARTY IN RESPECT OF THE HIRING OF ANY PERSON, EXCEPT IN ACCORDANCE WITH GENERAL LAWS RESPECTING TAXATION.

10. EACH PARTY AGREES TO MAKE AVAILABLE MULTIPLE ENTRY VISAS OF DURATION OF 12 MONTHS OR LONGER TO PERSONS EMPLOYED BY NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF THE OTHER COUNTRY DESIRING TO ENTER ITS TERRITORY IN FURTHERANCE OF THE PURPOSES OF THE AGREEMENT, AND TO MEMBERS OF THEIR IMMEDIATE FAMILY. PERSONS WHO ARE EMPLOYEES OF NATIONALS, COMPANIES AND ECONOMIC ORGANIZATIONS OF THE OTHER COUNTRY SHALL BE PERMITTED TO TRAVEL ABROAD FOR PURPOSES RELATED TO THE BUSINESS OF THEIR EMPLOYERS.

11. EACH PARTY AGREES TO PROVIDE ITS GOOD OFFICES TO

ASSIST IN THE SOLUTION OF BUSINESS FACILITATION PROBLEMS  
AND IN GAINING ACCESS TO APPROPRIATE GOVERNMENT OFFICIALS  
IN EACH COUNTRY. KISSINGER

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